

## **REMARKS**

In the non-final Office Action mailed on July 10, 2003 (paper no. 8), the Examiner objected to claims 1-8; rejected claims 1-16 under 35 U.S.C. § 112, second paragraph; rejected claims 9 and 16 under 35 U.S.C. § 101; and rejected claims 1-16 under 35 U.S.C. § 102(e) over U.S. Patent No. 6,490,585 to Hanson et al. ("Hanson"). To clarify the subject matter that applicant regards as his invention, applicant herein amends claims 1, 8, 9, 10, and 16, and presents new claims 17-21. As a result, claims 1-21 are presently pending. For the reasons discussed in detail below, applicant submits that all of the pending claims are now in condition for allowance.

Support for the amendments to claims 8 and 10 is found in the specification on page 12, lines 15-28, in Figure 4, and in other places. Support for new claims 17-21 is found in the specification on page 12, lines 15-28, in Figure 4, and in other places.

### **A. Objection to Claims**

The Examiner objected to the claims because of a number of informalities identified by the Examiner. Applicant herein amends the claims to address each of these informalities.

### **B. 35 U.S.C. § 112 Rejection**

The Examiner rejected claims 1-16 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Applicant respectfully traverses this rejection.

The Examiner indicated that the reference to "said at least one search term" in lines 7-8 of claim 1 has insufficient antecedent basis. Applicant herein amends claim 1 to delete the offending reference.

As amended, the claims detail the operation of a search term being provided to a search system. In response to the provided search term, a search system returns a search result that is later parsed for metadata. The amendments to the claims provides the requested nexus between at least one "search term" and "search result."

Additionally, Applicant disagrees with the Examiner in regards to the independent claims containing an infinite loop. Using amended claim 1 as an example, a search term is provided to a search system. In response to the provided search term, the search system returns a search result that is later parsed for metadata. This parsed metadata is then provided back to the search system as a "seed for a subsequent search operation," where the submitted metadata will most likely yield different search results than the originally returned search result. Hence, there is no infinite loop in the operation of the independent claims as claimed.

In view of the foregoing, applicant respectfully requests that the Examiner reconsider and withdraw this rejection.

C. 35 U.S.C. § 101 Rejection

The Examiner rejected claims 9 and 16 under 35 U.S.C. § 101. To address this rejection, applicant herein amends claim 9 to recite a "computer readable medium," as suggested by the Examiner. Applicant similarly amends claim 16 to recite a "computer implemented method." Both amendments are consistent with the guidelines specified in MPEP section 2106. Accordingly, applicant respectfully requests that the Examiner reconsider and withdraw this rejection.

D. 35 U.S.C. § 102 Rejection

The Examiner rejected to claims 1-16 under 35 U.S.C. § 102(e) over Hanson. Applicant traverses this rejection.

Claim 1 recites providing "parsed metadata to said search system as a seed for a subsequent search operation." This claimed aspect of claim 1 is neither disclosed nor suggested in Hanson.

Hanson describes a system that uses a multiplicity of databases (11, 13, 15, and 17) to conduct a search in response to a search query. When a user enters a search query, an agent looks up metadata from a repository (18). (Hanson, col. 6, lines 9-16.) This metadata indicates (1) whether data responsive to the query is distributed among the different databases and (2) how such data is distributed between such databases,

and is used in Hanson to access the appropriate databases to process the query. (Hanson, col. 6, lines 30-35.)

The metadata of Hanson is not the same as the claimed metadata of claim 1 is "metadata associated with said media." Specifically, the metadata of claim 1 is concerned with information that describes attributes of media available through a communications network, not the location of data within a database as described in Hanson. Examples describing the relationship between metadata and media are presented in the Dublin Core Metadata table listed on page 7 of the specification. Because the metadata of Hanson is of such a different nature than the claimed metadata of claim 1, it is unclear to applicant how the metadata of Hanson could be parsed as a seed for a subsequent search operation in the manner as claimed in claim 1.

Additionally, the Examiner indicates that Hanson at col. 5, lines 24-33 discloses the claimed element of "searching a repository for metadata that corresponds to metadata associated with a search result." Applicant disagrees with the Examiner's assertion, in that the metadata in Hanson is not parsed from a search result returned "in view of a performed search using said search term" as recited in claim 1.

In order for Hanson to return a search result, a search has to be performed. This search in Hanson is performed only after an agent consults a repository 18 of metadata in order to determine what databases (11, 13, 15, and 17) should be searched and how such a search is performed in the specified databases to yield a search result. (Hanson, column 6, lines 25-35).

In contrast, claim 1 claims an operation of providing a search term to a search system, where a search result is returned from the search system comprising metadata associated to media available through a communications network. This search result is then parsed for metadata that is later used as a seed for a subsequent search operation. This claimed operation does not use metadata that refers to the contents of different databases, as described in Hanson.

In view of the foregoing, claim 1 is patentable over Hanson. Independent claims 8, 9, 10, and 16 are similarly patentable over Hanson for the same reasons, as are dependent claims 2-7, 11-15, and 18-21 which depend from the allowable independent claims.

Applicant also notes that new claims 17-21 claim a subsequent search operation that uses the claimed seed to enable a web crawling spider to search for additional media available through said communications/computer network. This additional claimed element is neither disclosed nor suggested in Hanson.

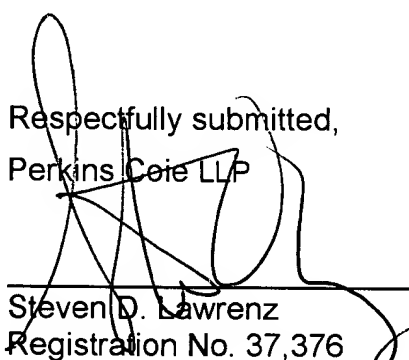
For the reasons discussed above, applicant respectfully requests that the Examiner reconsider and withdraw this rejection.

E. Conclusion

In view of the foregoing, applicant submits that the application is in condition for allowance. A prompt Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite examination of this application, the Examiner is encouraged to call the undersigned at (206) 359-6373.

Date: 1/9/04

Respectfully submitted,  
Perkins Coie LLP

  
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Steven D. Lawrenz  
Registration No. 37,376

**Correspondence Address:**

Customer No. 25096  
Perkins Coie LLP  
P.O. Box 1247  
Seattle, Washington 98111-1247  
(206) 359-8000